

99TH CONGRESS
2d Session

SENATE

REPORT
99-522

MEETING THE ESPIONAGE CHALLENGE:
A REVIEW OF UNITED STATES
COUNTERINTELLIGENCE AND
SECURITY PROGRAMS

REPORT

OF THE

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE



OCTOBER 3 (legislative day, SEPTEMBER 23), 1986.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

64-268 O

WASHINGTON : 1986

March 8, 1987

CONGRESSIONAL RECORD — SENATE

S 2729

ports required by the 99th Congress have been received and evaluated.

SENATE CONCURRENT RESOLUTION 17

At the request of Mr. CRANSTON, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of Senate Concurrent Resolution 17, a concurrent resolution regarding the promotion of democracy and security in the Republic of Korea, and for other purposes.

SENATE CONCURRENT RESOLUTION 20

At the request of Mr. GORE, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor to Senate Concurrent Resolution 20, a concurrent resolution to express the sense of Congress that funding for the vocational education program should not be eliminated.

SENATE CONCURRENT RESOLUTION 21

At the request of Mr. DANFORTH, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of Senate Concurrent Resolution 21, a concurrent resolution expressing the sense of Congress in opposition to the proposal by the European Community for the establishment of a tax on vegetable and marine fats and oils and urging the President to take strong and immediate countermeasures should such a tax be implemented to the detriment of United States exports of oilseeds and products and inconsistently with the European Community's obligation under the General Agreement on Tariffs and Trade.

SENATE CONCURRENT RESOLUTION 25—ESTABLISHING A JOINT COMMITTEE ON INTELLIGENCE OVERSIGHT

Mr. QUAYLE (for himself, Mr. DOLE, and Mr. KASTEN) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 25

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a Joint Committee on Intelligence Oversight (hereinafter referring to as the "joint committee") which shall be composed of ten members appointed as follows:

(1) five members of the Senate, three to be appointed by the majority leader of the Senate and two to be appointed by the minority leader of the Senate; and

(2) five members of the House of Representatives, three to be appointed by the majority leader of the House of Representatives and two to be appointed by the minority leader of the House of Representatives.

(b) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even numbered Congress shall be selected by the Members of the House of Representatives on the joint committee from among their number and the

chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the joint committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

Sec. 2. (a) The jurisdiction and duties of the joint committee shall be as provided in section 3 of Senate Resolution 400, 94th Congress, relating to the Select Committee on Intelligence, approved May 19, 1976.

(b) All bills, resolutions, and other matters in the Senate or the House of Representatives relating primarily to the jurisdiction of the joint committee shall be referred to the joint committee. The joint committee shall from time to time report to the Senate and the House of Representatives, by bill or otherwise, its recommendations with respect to matters which are (1) referred to the joint committee, or (2) otherwise within the jurisdiction of the joint committee.

Sec. 3. The joint committee shall be administered in accordance with the provisions of sections 4 through 14 and section 16 of Senate Resolution 400, 94th Congress, except that all staff shall be appointed jointly by the chairman and vice chairman and such appointments shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

Sec. 4. For purposes of the resolution, all references in Senate Resolution 400 to—

(1) the term "select committee" shall be treated as referring to the "joint committee"; and

(2) the term "Senate" shall be treated as referring to either House of the Congress, subject to the rules and procedures of the House of Representatives.

● Mr. QUAYLE, Mr. President, the one thing on which all sides can agree concerning the Iran-Contra controversy is that we ought not to allow it to paralyze the executive branch. The President has been anxious to get all the facts so he can put this crisis behind him. That was the whole point of the Tower Board Report. The President has changed the staffing and organization of the National Security Council. He also has appointed a new NSC Adviser, a new Chief of Staff, and will soon select a new CIA Director. More changes within the executive are likely.

Mr. President, these efforts by the President are steps in the right direction but I think we in the Congress can and should do more. One of the key causes of the Iran-Contra affair, after all, was the lack of communication between the executive and legislative branches, which itself was fueled by a lack of trust.

This is something we in Congress can and should correct by modifying our own institutions. As noted in the Tower Report, establishment of a Joint Intelligence Committee would go a long way toward depriving the executive of any serious excuse for not confiding in Congress. Presidents, the report notes, seem to have become increasingly concerned about leaks of classified information and rightly or wrongly blame Congress disproportionately.

In fact, various Cabinet officials from prior administrations indicated

to the board that they believe Congress bears no more blame than the executive branch for unauthorized disclosure of classified information. But the report goes on to note that the number of members and staff involved in reviewing covert activities is so large—nearly 70 people—that it is cause for concern and provides a convenient excuse for a President to avoid congressional consultation.

Mr. President, we should not give the executive this excuse. When the House and Senate Intelligence Committees were first established in 1974 their key purpose was to investigate and make sure that imprudent and illegal covert activities were brought to light and ended. Congress still must do this but we must do more. Our oversight must also serve a serious advisory function. It must help rebuild our intelligence capability and provide prudent assistance in tasking the CIA. This is especially so given congressional interest in supporting such liberation movements as the Afghan freedom fighters and the Cambodian rebels, in stemming the tide of illicit subversive drug trade, and in assuring that our Government is not caught off guard by coups such as those that have taken place in Iran, the Philippines, and Nicaragua.

For this kind of oversight we do not need large House and Senate committees competing over how our intelligence system should be operated or funded. What we need is the sort of competence and consensus that can only come with the creation of a Joint Intelligence Committee consisting of a bipartisan but select membership supported by an elite professional staff.

Instead of 32 Congressmen and 2 committees manned with nearly 60 or so professional and assistant staff all handling code-word information, we should consider consolidation and reduction. In this regard, the old Joint Atomic Energy Committee serves as a model.

In fact, when I chaired the Temporary Select Committee to Study the Senate Committee System, we heard testimony from former Senator Howard Baker on the virtues of establishing a Joint Intelligence Committee. One of the key advantages to such consolidation is that it would increase the staff's access to the committee membership and, thus, increase the attractiveness of working on staff. This, in turn, would only further improve staff retention and professionalism.

Mr. President, the Temporary Select Committee to Study the Senate Committee System unanimously supported the recommendation to create a Joint Intelligence Committee. I believe it is time that we act on that recommendation. I, therefore, am submitting a concurrent resolution cosponsored by Senator DOLE and Senator KASTEN that would establish a Joint Committee on Intelligence Oversight that would consist of no more than 10